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Corporation, MARTA Cooperative of America,  
Inc., and ABC Appliance, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION**

This document relates to:

*P.C. Richard & Son Long Island Corp., et al.  
v. Hitachi, Ltd., et al., No. 12-cv-02648-SC*

Master File No. 07-5944 SC

MDL No. 1917

**DECLARATION OF PHILIP J.  
IOVIENO IN SUPPORT OF P.C.  
RICHARD & SON LONG ISLAND  
CORPORATION'S, MARTA  
COOPERATIVE OF AMERICA,  
INC.'S, AND ABC APPLIANCE,  
INC.'S OPPOSITION TO TOSHIBA  
AMERICA INFORMATION  
SYSTEMS, INC.'S MOTION TO  
COMPEL PRODUCTION OF  
SETTLEMENT AGREEMENTS**

1 I, **PHILIP J. IOVIENO**, declare as follows:

2 1. I am a partner at the law firm of Boies, Schiller & Flexner LLP, counsel for  
3 several of the Direct Action Plaintiffs in this matter, including P.C. Richard & Song Long Island  
4 Corporation, MARTA Cooperative of America, Inc., and ABC Appliance, Inc., and I am  
5 licensed to practice law in the State of New York and admitted to practice *pro hac vice* before  
6 this Court.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of *Sun Microsystems Inc.*  
8 *v. Hynix Semiconductor, Inc.*, No. 06-cv-1665, Dkt. 304, slip op. (N.D. Cal. Jan. 25, 2008).

9 3. Attached hereto as Exhibit 2 is a true and correct copy of a press release titled  
10 “The US\$2.7 Billion Difference: Toshiba and White & Case Collaborate on Novel Strategy That  
11 Pays Off,” dated 2012, and obtained from the following URL:

12 <http://annualreview2012.whitecase.com/toshiba.htm>.

13  
14 I declare under penalty of perjury that the foregoing is true and correct.  
15 Executed this 17th day of June, 2014, at Albany, New York.

16  
17 /s/ Philip J. Iovieno

18 Philip J. Iovieno  
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